

Support Document (TSD) dated March 7, 1995).

- SJVUAPCD Rule 4403, Components Serving Light Crude Oil or Gases and Light Crude Oil and Gas Production Facilities and Components at Natural Gas Processing Facilities includes the following significant changes from the current SIP:

- Definitions have been added for rule clarification.
- The exemption section was amended to exclude components from being exempt from leak minimization or recordkeeping requirements.
- Violation language was added so that any leaks in excess of the leak thresholds will constitute a violation of the rule.
- The variance provision has been removed.

- Repair procedures for essential components have been added.

- Various recordkeeping requirements were added.

- The test method section was amended to reference methods for determining true vapor pressure. (A detailed summary of rule changes is provided in the TSD dated March 7, 1995).

EPA has evaluated the submitted rules and has determined that they are consistent with the CAA, EPA regulations, and EPA policy. Therefore, SDCAPCD Rule 61.1, Receiving and Storing Volatile Organic Compounds at Bulk Plants and Bulk Terminals; and SJVUAPCD Rule 4403, Components Serving Light Crude Oil and Gas Production Facilities and Components at Natural Gas Processing Facilities, are being proposed for approval under section 110(k)(3) of the CAA as meeting the requirements of section 110(a) and Part D.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Regulatory Process

Under the Regulatory Flexibility Act, 5 U.S.C. Section 600 et seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. §§ 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-

profit enterprises and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under sections 110 and 301 and subchapter I, part D of the CAA do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP-approval does not impose any new requirements, it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-state relationship under the CAA, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The CAA forbids EPA to base its actions concerning SIPs on such grounds.

Union Electric Co. v. U.S. E.P.A., 427 U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2).

The OMB has exempted this action from review under Executive Order 12866.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compound.

Authority: 42 U.S.C. 7401-7671q.

Date Signed: March 16, 1995.

Felicia Marcus,

Regional Administrator

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 649, 650 and 651

[I.D. 031695A]

New England Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Public meeting; request for comments.

SUMMARY: The New England Fishery Management Council (Council) will hold a 2-day public meeting to consider actions affecting the New England fisheries in the exclusive economic zone (EEZ).

DATES: The meetings are scheduled as follows:

1. March 29, 1995, 10 a.m.; and

2. March 30, 1995, 8:30 a.m.

Comments must be received by March 30, 1995.

ADDRESSES: The meetings will be held at the King's Grant Inn, Route 128 and Trask Lane, Danvers, MA 01923; telephone: 508-774-6800. Comments may be sent to the Executive Director, New England Fishery Management Council, 5 Broadway, Saugus, MA 01906.

FOR FURTHER INFORMATION CONTACT:

Douglas G. Marshall, Executive Director; telephone: 617-231-0422.

SUPPLEMENTARY INFORMATION:

Wednesday, March 29, 1995

The meeting will begin with introductions and announcements. The Groundfish Oversight Committee will report on its progress in developing management alternatives for Amendment 7 to the Northeast Multispecies Fishery Management Plan (FMP), in consideration of low abundances of key fish stocks in the northeast. This meeting will be the first at which the Groundfish Committee-initiated framework adjustment to the Northeast Multispecies and Sea Scallop FMPs will be discussed. The purpose of the framework is to correct the baseline used by Vessel Tracking Systems (VTS) to calculate days at sea (DAS).

During the afternoon session, Dr. William Hogarth of NMFS will brief the Council on the management status of weakfish and striped bass. Following his presentation, the Ad Hoc Committee on the Reauthorization of the Magnuson Fishery Conservation and Management Act will discuss aspects of the various reauthorization bills and ask the full Council for its views.

Thursday, March 30, 1995

The Lobster Committee will discuss the list of potential issues to be reviewed in the Council's public hearing document for a lobster stock rebuilding/effort reduction program. This will be the final meeting to consider a framework adjustment to the Lobster FMP that would address a range of issues related to lobster limited access permits (see below). The Sea Scallop Committee will revisit the issue of specifications for twine tops used in scallop gear and referred to in Framework Adjustment 5 to the Scallop FMP. This will also be the final meeting to consider Framework Adjustment 5 to the FMP that would modify gear restrictions for scallop limited access fishing vessels (see below). The Gear Conflict Committee will report on its efforts to reach an agreement that might reduce interactions between various

gear types in the New England region. The Herring Committee will report on its mid-March meeting held jointly with U.S. and Canadian herring industry representatives and management officials.

If time allows, there will be reports from the Council Chairman; Council Executive Director; National Marine Fisheries Service Acting Regional Director; Northeast Fisheries Science Center liaison; Mid-Atlantic Fishery Management Council liaison; and representatives from the Coast Guard and from the Atlantic States Marine Fisheries Commission.

Abbreviated Rulemaking Action—Northeast Multispecies and Atlantic Sea Scallops

This meeting will be the first of two public meetings to consider a Groundfish Committee-initiated action on an adjustment to the Northeast Multispecies and Sea Scallop FMPs under the framework for abbreviated rulemaking contained in 50 CFR 651.40 and 50 CFR 650.40, respectively, to correct the baseline used by VTS to monitor and count individual vessel DAS. The current regulations indicate the COLREGS Demarcation Line as the baseline for the VTS to determine when a vessel is at sea for the purpose of counting that day against the vessel's total allocation of fishing days. In the process of implementing this system, the NMFS Enforcement Division determined that the COLREGS line is inappropriate and has proposed an alternative line. The issue will be discussed again at the Council meeting on May 17 and 18. The public is encouraged to attend and provide comments or submit them in writing (see ADDRESSES). If the Director, Northeast Region, NMFS (Regional Director), concurs with the Council's recommendations on this framework adjustment, he could publish it as a

proposed or a final rule in the **Federal Register** after the May meetings.

Abbreviated Rulemaking Action—American Lobster

The Council will consider final action on an adjustment to the American Lobster FMP under the framework for abbreviated rulemaking contained in 50 CFR 649.44. At its January 11 and 12, 1995, meeting, the Council announced it would initiate a framework adjustment that would modify eligibility criteria for lobster limited access permits. This has been addressed in the following manner: (1) Fishermen who fished for lobsters in the EEZ prior to the control date will qualify for a lobster limited access permit if participation in the Federal fishery can be demonstrated, and they meet all other eligibility criteria; (2) a person who owned a lobster vessel, but who leased a lobster license and meets all other eligibility criteria will qualify for a lobster limited access permit; (3) owners, but not necessarily operators, of lobster vessels may be eligible for limited access permits, provided they meet all other eligibility criteria; (4) in the case of partnership arrangements involving the operation of a single vessel, only one limited access permit will be issued; (5) a vessel and a federally endorsed lobster permit may be transferred together through inheritance, but the transfer of the permit only, without the qualifying vessel, may not occur under this circumstance. The public is encouraged to attend this meeting and to provide comments or submit them in writing to the Council (see ADDRESSES). If the Regional Director concurs with the Council's recommendations on this framework adjustment, he could publish it as a proposed or a final rule in the **Federal Register**.

Abbreviated Rulemaking Action—Atlantic Sea Scallops

The Council will consider final action on an adjustment to the Atlantic Sea

Scallop FMP under the framework for abbreviated rulemaking contained in 50 CFR 650.40. At its December 8, 1994, and January 12, 1995, meetings, the Council announced it would initiate a framework adjustment that would modify gear restrictions for scallop limited access fishing vessels. This has been addressed in the following manner: (1) Limited access vessels will be restricted from fishing for scallops with nets while under the DAS program unless the vessel has not used a scallop dredge since 1987; and (2) limited access vessels will be restricted from fishing for scallops, using dredges with twine tops that extend the full distance to the club stick while under the DAS program. The twine top restriction will require seven rows of steel rings for dredges greater than 8 ft (244 cm) wide, or four rows for single dredges 8 ft (244 cm) wide or less, between the club stick and twine top. The public is encouraged to attend this meeting and to provide comments or submit them in writing to the Council (see ADDRESSES). If the Regional Director concurs with the Council's recommendations on this framework adjustment, he could publish it as a proposed or a final rule in the **Federal Register**.

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Douglas G. Marshall at 617-231-0422, at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: March 22, 1995.

David S. Crestin,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.
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